

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Wolfgang von DEYN et al.

Application No.: 10/580,700

Group Art Unit: 1614

Filing or 371 (c) Date: May 25, 2006

Examiner: Unassigned

Title: Use of N-arylhydrazine Derivatives for
Combating Pests In and On Animals

Confirmation No.: 5407

REQUEST FOR CORRECTED FILING RECEIPT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed is a copy of the Official Filing Receipt marked to show a correction that is needed. The correction is as follows:

The filing or 371(c) date is incorrect. The correct 371(c) date is May 25, 2006.

All of the requirements to satisfy 371(c) were submitted on May 25, 2006, as evidenced by the attached application filing documents marked Exhibit A, which includes a copy of the Express Mail Label which has a date stamp by the U.S. Postal Service of May 25, 2006, in accordance with 37 C.F.R. 1.10(a)(1).

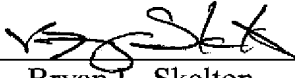
Notwithstanding the Notice to File Missing Parts mailed on January 17, 2007, requiring the submission of a Declaration, the attached documents show that Applicant submitted a properly executed Declaration along with the original filing papers on May 25, 2006. Therefore, all of the requirements of 371(c) were met on May 25, 2006. Further, an express request to begin national examination procedures (35 U.S.C. 371(f)) was made on the transmittal letter filed May 25, 2006.

Issuance of a corrected Official Filing Receipt showing the correct 371(c) date of May 25, 2006, is respectfully requested.

Respectfully submitted,

HUTCHISON LAW GROUP PLLC

Date: October 17, 2007

By: 
Bryan L. Skelton
Registration No. 50,893

P.O. Box 31686
Raleigh, NC 27612
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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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P.O. Box 1450
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*Please correct date to
read: 05/25/2006*

APPL NO.	FILING OR 371(c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	TOT CLMS	IND CLMS
10/580,700	03/15/2007	1614	1030	BASF.10153WOUS	13	1

CONFIRMATION NO. 5407

Hutchison Law Group
P.O. Box 31686
Raleigh, NC 27612

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AUG 02 2007

FILING RECEIPT



OC000000025101653

Date Mailed: 07/31/2007

Hutchison Law Group

Receipt is acknowledged of this nonprovisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

Applicant(s)

Wolfgang von Deyn, Neustadt, GERMANY;
Hassan Oloumi-Sadeghi, Raleigh, NC;
David G. Kuhn, Apex, NC;
Nigel Armes, Raleigh, NC;
Christopher Koradin, Stadtallendorf, GERMANY;
Alissa Zeller, Mannheim, GERMANY;

Power of Attorney: The patent practitioners associated with Customer Number 45473.

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/EP04/13685 12/02/2004
which claims benefit of 60/526,609 12/04/2003

Foreign Applications

If Required, Foreign Filing License Granted: 07/30/2007

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/580,700**

Projected Publication Date: 11/08/2007

Non-Publication Request: No

DOCKETED

8/2/07 du

Early Publication Request: No

Title

Use of N-Arylhydrazine Derivatives for Combating Pests in and on Animals

Preliminary Class

514

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

LICENSE FOR FOREIGN FILING UNDER Title 35, United States Code, Section 184 Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted

under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

EXHIBIT A

PTO-1390 (Rev. 07-2005)

Approved for use through 3/31/2007. OMB 0651-0021
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER BASF.10153WOUS
INTERNATIONAL APPLICATION NO. PCT/EP2004/013685	INTERNATIONAL FILING DATE December 2, 2004	U.S. APPLICATION NO. (If known, see 37 CFR 1.5) Unassigned
PRIORITY DATE CLAIMED December 4, 2003		
TITLE OF INVENTION THE USE OF N-ARYLHYDRAZINE DERIVATIVES FOR COMBATING PESTS IN AND ON ANIMALS		
APPLICANT(S) FOR DO/EO/US Wolfgang von DEYN, Hassan OLOUMI-SADEGHI, David G. KUHN, Nigel ARMES, Christopher KORADIN, Alissa ZELLER		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.		
2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.		
3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.		
4. <input checked="" type="checkbox"/> The US has been elected (Article 31).		
5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))		
a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).		
b. <input type="checkbox"/> has been communicated by the International Bureau.		
c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).		
6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).		
a. <input type="checkbox"/> is attached hereto.		
b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).		
7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))		
a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).		
b. <input type="checkbox"/> have been communicated by the International Bureau.		
c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.		
d. <input type="checkbox"/> have not been made and will not be made.		
8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).		
9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).		
10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).		
Items 11 to 20 below concern document(s) or information included:		
11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.		
12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.		
13. <input checked="" type="checkbox"/> A preliminary amendment.		
14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.		
15. <input type="checkbox"/> A substitute specification.		
16. <input type="checkbox"/> A power of attorney and/or change of address letter.		
17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.		
18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).		
19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).		

DOCKETED

5/25/06 *den*

EXHIBIT A

PTO-1390 (Rev. 07-2005)

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) Unassigned		INTERNATIONAL APPLICATION NO. PCT/EP2004/013685		ATTORNEY'S DOCKET NUMBER BASF.10153WOUS	
20. Other items or information: Copy of International Publication No. WO 2005/053402 with International Search Report; and copy of International Preliminary Report on Patentability					
The following fees have been submitted				CALCULATIONS	PTO USE ONLY
21.	<input checked="" type="checkbox"/> Basic national fee (37 CFR 1.492(a))	\$300		\$ 300.00	
22.	<input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c))			\$ 200.00	
If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0 All other situations..... \$200					
23.	<input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b))			\$ 400.00	
If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB..... \$400 All other situations..... \$500					
TOTAL OF 21, 22 and 23 =					
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)		RATE	
- 100 =	/50 =			x \$250	\$
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	13 - 20 =		x \$ 50	\$	
Independent claims	1 - 3 =		x \$200	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360	\$	
TOTAL OF ABOVE CALCULATIONS =				\$	0.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.					
SUBTOTAL =				\$ 900.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$	
TOTAL NATIONAL FEE =				\$ 900.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$ 40.00	
TOTAL FEES ENCLOSED =				\$ 940.00	
				Amount to be refunded:	\$
				Amount to be charged	\$

EXHIBIT A

PTO-1390 (Rev. 07-2005)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

- a. ☐ A check in the amount of \$ _____ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 50-3218 in the amount of \$ 940.00 to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-3218. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Hutchison Law Group PLLC
P.O. Box 31686
Raleigh, North Carolina 27612
(919) 829-9600

Mary B. Grant
SIGNATURE

Mary B. Grant
NAME

Date: May 25, 2006

32,176 (PCT/EP2004/013685)
REGISTRATION NUMBER

I hereby certify that the application/correspondence attached hereto is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to the Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Express Mail Label No. EV 835 060 528 US Date of Deposit: 05/25/2006
Jennie Sneed
Jennie Sneed

EXHIBIT A

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Month Day Year	Month Day	\$	Delivery Attempt	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Time Accepted 11:07	Scheduled Time of Delivery	COD Fee \$ Insurance Fee \$	Mo. Day	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
<input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	<input checked="" type="checkbox"/> Noon <input type="checkbox"/> 3 PM	Total Postage & Fees \$ 18.30	Delivery Date	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
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1 lbs. 11 ozs.	Int'l Alpha Country Code		NO DELIVERY	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
CUSTOMER USE ONLY METHOD OF PAYMENT: Express Mail Corporate Acct. No.			CUSTOMER USE ONLY METHOD OF PAYMENT: Express Mail Corporate Acct. No.		
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FOR PICKUP OR TRACKING: Visit www.usps.com or Call 1-800-222-1811

Applicant: Wolfgang von DEYN, Hassan LOUMI-SADEGHI, David G. KUHN, Nigel ARMES, Christopher KORADIN, Alissa ZELLER.
 Application No.: Unassigned
 International Application No.: PCT/EP2004/013685
 International Filing Date: December 2, 2004
 Title: The Use of N-arylhydrazine Derivatives for Combating Pests in and on Animals
 Docket No.: BASF.10153WOUS

IAP7 Rec'd PCT/PTO 25 MAY 2006

Receipt is hereby acknowledged for the following papers filed in the U.S. Patent and Trademark Office on May 25, 2006

- | | | |
|--|---|---|
| <input checked="" type="checkbox"/> Transmittal Letter to U.S. Designated/Elected Office Concerning Filing Under 35 USC 371 (PTO-1390) | <input checked="" type="checkbox"/> Assignment/Assignment Recordation Form Cover Sheet (PTO-1595) | <input checked="" type="checkbox"/> Charge \$940.00 to Deposit Account |
| <input checked="" type="checkbox"/> Executed Declaration/Power of Attorney | <input type="checkbox"/> Computer Readable form of Sequence Listing | <input checked="" type="checkbox"/> Copy of International Application as file |
| <input type="checkbox"/> Unexecuted Declaration/Power of Attorney | <input type="checkbox"/> Information Disclosure Citation (PTO/SB/108) | <input type="checkbox"/> |
| <input type="checkbox"/> Copy of PCT/IB/301 | <input type="checkbox"/> Information Disclosure Statement w/ document(s) | <input type="checkbox"/> |
| <input type="checkbox"/> Copy of PCT/IB/304 | <input checked="" type="checkbox"/> Preliminary Amendment | <input type="checkbox"/> |
| <input type="checkbox"/> Copy of PCT/IB/308 | <input checked="" type="checkbox"/> Copy of International Search Report | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> Copy of PCT Pub. No. WO 2005/053402 with ISR | <input checked="" type="checkbox"/> Copy of International Preliminary Report on Patentability | <input type="checkbox"/> |
| <input type="checkbox"/> English Translation of International Application No. _____ | <input type="checkbox"/> International Preliminary Examination Report Including Annexes | <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> Translation of Annexes to IPER | <input type="checkbox"/> |

10/58070

Documents submitted via Express Mail Label No.: EV 835 060 528 US

EXHIBIT A *Declaration, Power of Attorney and Petition*

Page 1 of 4
0000056033

Customer No.

We (I), the undersigned inventor(s), hereby declare(s) that:

My residence, post office address and citizenship are as stated below next to my name,

We (I) believe that we are (I am) the original, first, and joint (sole) inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled

the specification of which

☐ is attached hereto.

☐ was filed on _____ as

Application Serial No. _____

and amended on _____

☒ was filed as PCT international application

Number _____ PCT/EP2004/013685

on _____ 02 December 2004

and was amended under PCT Article 19

on _____ (if applicable).

We (I) hereby state that we (I) have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We (I) acknowledge the duty to disclose information known to be material to the patentability of this application as defined in Section 1.56 of Title 37 Code of Federal Regulations.

We (I) hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed. Prior Foreign Application(s)

Application No.

Country

Day/Month/Year

Priority
Claimed

☐ Yes ☐ No

Page 2 of 2
0000056033

60/526609 _____ (Application Number)	04 December 2003 _____ (Filing Date)
_____ (Application Number)	_____ (Filing Date)

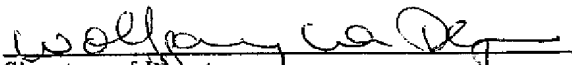
Application Serial No.	Filing Date	Status (pending, patented, abandoned)
------------------------	-------------	---------------------------------------

We (I) declare that all statements made herein of our (my) own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

EXHIBIT A

Page 3 of 4
0000056033

Wolfgang von Deyn
NAME OF SOLE OR FIRST INVENTOR


Signature of Inventor

Date 16. Dez. 2004

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Hassan Oloumi-Sadeghi
NAME OF SECOND JOINT INVENTOR

Signature of Inventor

Date

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Citizen of United States of America
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David G. Kuhn
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Signature of Inventor

Date

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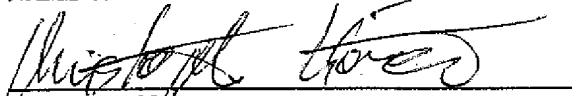
Nigel Armes
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Signature of Inventor

Date

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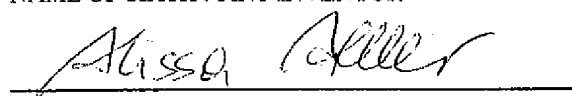
Christopher Koradin
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Signature of Inventor

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Alissa Zeller
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EXHIBIT A

Page 4 of 4
0000056033

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Nigel Armes
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Signature of Inventor

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Signature of Inventor

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Alissa Zeller
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Signature of Inventor

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Germany
Citizen of Germany
Post Office Address: same as residence